

LOUDOUN COUNTY PLANNING COMMISSION

SUMMARY AGENDA

TUESDAY, FEBRUARY 19, 2013

6:00 PM PUBLIC HEARING

LOCATION: BOARD ROOM
1ST Floor, Govt. Center

Citizens are encouraged to call the Department of Planning on the day of the public hearing or meeting to confirm that an item is on the agenda, or, the most current agenda may be viewed on the Planning Commission's website at www.loudoun.gov/pc

The LOUDOUN COUNTY PLANNING COMMISSION will hold a public hearing in the Board of Supervisors' Meeting Room, County Government Center, 1 Harrison Street, S.E., Leesburg, Virginia, on **TUESDAY, FEBRUARY 19, 2013**, at **6:00 p.m.** to consider the following:

ZOAM 2013-0001
10 DAY APPEAL PERIOD FOR SHORT-TERM RECURRING
ZONING OFFENSES
(Zoning Ordinance Amendment)

Pursuant to Sections 15.2-2204, 15.2-2285, and 15.2-2286 of the Code of Virginia and a Resolution of Intent to Amend adopted by the Board of Supervisors on December 5, 2012, the Planning Commission hereby gives notice of proposed text amendments to the Revised 1993 Loudoun County Zoning Ordinance ("Zoning Ordinance"), in order to reduce the appeal period for certain short-term recurring zoning offenses. The proposed text amendments would: 1) revise Section 6-1702, *When Appeals May Be Taken*, to reduce the period within which an appeal shall be taken from thirty (30) days to ten (10) days after the issuance of a notice of violation for certain Zoning Ordinance violations classified as a "Short term and or recurring event"; 2) amend Article 8, *Definitions*, to establish a new definition for "Short term and or recurring event", to include, without limitation, violations in regard to inoperable vehicles, commercial vehicles parked in residential districts, parking of vehicles on unpaved surfaces, exceeding maximum occupancy limitations of residential dwelling units, and permitted and or non permitted temporary or seasonal sales; and 3) amend such other Articles, Sections, Subsections, and provisions of the Zoning Ordinance as necessary to implement and maintain consistency with the foregoing amendments. The public purposes of these amendments are to achieve the purposes of zoning as set forth in Sections 15.2-2200 and 15.2-2283 of the Code of Virginia, including, without limitation, furtherance of the public necessity, convenience, general welfare and good zoning practice and facilitating the creation of a convenient, attractive and harmonious community.

SPEX 2012-0036
BRAMBLETON COMMUNITY PARK
(Special Exception)

The Board of Supervisors, acting through the Department of Transportation and Capital Infrastructure, has submitted an application for a special exception to permit lighted playing fields in the PD-H4 (Planned Development-Housing), administered as R-8 (Single Family Residential), zoning district. The property is also located partially within the FOD (Floodplain Overlay District). This application is subject to the Revised 1993 Zoning Ordinance and the proposed use is listed as a Special Exception use under Section 3-504(I). The area of the proposed special exception is an approximately 63.23 acre portion of an approximately 126.68 acre parcel that is located along the east and west sides of Belmont Ridge Road (Route 659), south of Alford Road (Route 646) and Croson Lane (Route 645), at 22376, 22377, 22388, and 22389 Belmont Ridge Road, Ashburn, Virginia, in the Blue Ridge and Dulles Election Districts. The subject property is more particularly described as follows:

TAX MAP NUMBER	PIN #	ACRES	ADDRESS	OWNERSHIP
/92////////34/	157-17-5653	28.72	22376 Belmont Ridge Road Ashburn, Virginia	Loudoun County Board of Supervisors
/91///7////26/	157-16-1062	86.66	22377 Belmont Ridge Road Ashburn, Virginia	Northern Virginia Regional Park Authority
/91///7////27/	157-25-2434	11.48	N/A	Northern Virginia Regional Park Authority

The area is governed by the policies of the Revised General Plan (Suburban Policy Area (Ashburn Community)), which designate this area for residential uses.

SPEX 2012-0037, SPEX-2012-0039, & SPEX-2012-0051
GRAFTON LEESBURG CAMPUS
(Special Exception)

National Children Rehabilitation Center of Leesburg, Virginia, has submitted applications for special exceptions to remove and terminate the non-conforming status of an existing Hospital (Outpatient Facility) use and establish this use as a lawfully existing use, to expand the existing Hospital (Outpatient Facility) use, and to remove and terminate the nonconforming status of two buildings and establish these buildings as lawfully existing structures, in the Agricultural Rural-1 (AR-1) zoning district. The property is located partially within the LOD (Limestone Overlay District) and partially within the MDOD (Mountainside Development Overlay District). These applications are subject to the Revised 1993 Zoning Ordinance and non-conforming uses and structures may be deemed to be in conformity with the Zoning Ordinance and allowed to continue and to expand as lawfully existing uses and structures through the issuance of Special Exception approval in accordance with Section 1-405. The property is approximately 132.13 acres in size and is located on the west side of Harry Byrd Highway (Route 7), and on the north side of the W&OD Trail, at 801 Childrens Center Road, Leesburg, Virginia, in the Catoctin Election District. The property is more particularly described as Tax Map Number /47////////33/ (PIN# 271-37-5565). The area is governed by the policies of the Revised General Plan (Rural Policy Area (Northern Tier)), which designate this area for rural economy uses and limited residential development.

CPAM 2012-0003
SPECIAL ACTIVITY AT ONE LOUDOUN
(Comprehensive Plan Amendment)

Pursuant to Sections 15.2-2225 and 15.2-2229 of the Code of Virginia, the Planning Commission hereby gives notice of a Comprehensive Plan Amendment (CPAM) to amend the Loudoun County General Plan (revised July 23, 2001) (Revised General Plan) to revise certain text and policies in regard to Special Activity Uses that are applicable to an area located generally within the southwest quadrant of the Harry Byrd Highway (Route 7) and Loudoun County Parkway (Route 607) interchange. The proposed amendments would:

- Revise Chapter 6, *Suburban Policy Area, D. Special Activity Uses*, in order to eliminate references to the "Toll Road planning area" and add new references to certain designated areas within the Suburban Policy Area.
- Revise Chapter 6, *Suburban Policy Area, Special Activity Use Policy 2.g.*, to revise and/or eliminate specific setback requirements from Route 772 and the Dulles Greenway for arenas or stadiums.
- Revise the Planned Land Use Map to add new a "Special Activities Area" overlay to be located generally within the southwest quadrant of the Harry Byrd Highway (Route 7) and Loudoun County Parkway (Route 607) interchange.
- Revise such other sections of the Revised General Plan as necessary to implement and maintain consistency with the proposed amendments.

**ZMAP 2012-0016, ZCPA 2012-0012, SPEX 2012-0042
ONE LOUDOUN**

(Zoning Map Amendment, Zoning Concept Plan Amendment, Special Exception)

One Loudoun Holdings LLC of McLean, Virginia, has submitted: 1) an application to rezone approximately 23.5 acres from the PD-TC (Planned Development-Town Center) and the PD-OP (Planned Development-Office Park) zoning districts under the Revised 1993 Zoning Ordinance to the PD-SA (Planned Development-Special Activities) zoning district under the Revised 1993 Zoning Ordinance in order to develop a sports stadium and up to 409,464 square feet of commercial and office uses at a Floor Area Ratio (FAR) of approximately 0.4; 2) an application to rezone 19.1 acres from the PD-OP (Planned Development-Office Park) zoning district under the Revised 1993 Zoning Ordinance to the PD-TC (Planned Development-Town Center) zoning district under the Revised 1993 Zoning Ordinance and amend the concept plan and proffers approved with ZMAP 2005-0008/ZCPA 2008-0003, One Loudoun, in order to develop up to 601 residential units at a density of approximately 6 dwelling units per acre, up to 89,000 square feet of civic space, and up to 3,383,400 square feet of commercial and office uses at a FAR of 0.79; and 3) an application for a special exception to increase the maximum building height from 45 feet to 175 feet in the proposed PD-SA zoning district. These applications are subject to the Revised 1993 Zoning Ordinance. The property is located within the AI (Airport Impact) Overlay District, between the Ldn 60-65, and outside of but within one (1) mile of the Ldn 60, aircraft noise contours, and is also located partially within the FOD (Floodplain Overlay District). The applicant is also requesting modifications of Zoning Ordinance (ZO) sections as follows:

Zoning Ordinance Section	Proposed Modification
ZO §4-702, Size and Location	Reduce the minimum size of a PD-SA zoning district from 100 acres to 23.5 acres.
ZO §4-705(B)(1), Yards, Adjacent to roads	Reduce both the 35-foot building setback and the 25-foot parking setback from any road to 10 feet.
ZO §4-705(B)(2), Yards, Adjacent to Agricultural and Residential Districts and Land Bays Allowing Residential Uses	Reduce the minimum yard for buildings, parking, outdoor storage, areas for collection of refuse, and loading areas from any agricultural district, existing or planned residential district, or land bay allowing residential uses from 100 feet to 5 feet.
ZO §4-705(B)(3), Yards, Adjacent to Other Nonresidential Districts	Reduce the minimum yard for buildings, parking, outdoor storage, and loading areas from other nonresidential zoning districts from 35 feet to 10 feet.
ZO §4-705(B)(4)(b), Yards Between Buildings	Reduce the minimum spacing between buildings on an individual lot or building site from 25 feet to 0 feet.
ZO §1-205(A), Lot Access Requirements	Permit lots to have frontage on private streets in lieu of a Class I, Class II, or Class III road, or private access easement, throughout the PD-SA zoning district.
ZO §5-900(A)(1)(b)(1), Building and Parking Setbacks From Roads, Route 7	Reduce the minimum building setback along Route 7 for Land Bays A-1 and A-2 from 300 feet to 290 feet.
ZO §5-900(A)(10)(a), Building Setbacks From Roads, Other Major Collector Roads	Reduce the minimum building setback along major collector roads from 75 feet to 50 feet.
ZO §5-900(A)(11)(a) and (b), Building and Parking Setbacks From Roads, All other roads in Nonresidential Districts	Reduce any required building and parking setbacks along certain roads to 10 feet.
ZO §5-900(A)(12)(a) and (b), Building and Parking Setbacks From Roads, All other roads in Residential Districts	Reduce any required building and parking setbacks along certain roads to 10 feet.

ZO §5-1103(A), Parking Facilities	Increase the maximum permitted distance from the principal entrance of the building lot being served to parking facilities located on a separate lot/parcel from 500 feet to 0.5 mile.
ZO §5-1400, Buffering and Screening	Eliminate required buffer yards between certain uses within the development.
ZO §5-1413, Parking Lot Landscaping and Screening Requirements	Eliminate required parking lot landscaping and screening for interim surface parking areas that will serve the stadium.
ZO §4-802, Size, Location and Components	Increase the maximum size of a PD-TC zoning district from 60 acres to 100 acres.
ZO §4-805(D)(2), Yards (Side), within the Town Center Core	Reduce the minimum side yard within the Town Center Core for a non-residential use abutting a lot used or planned for residential purposes from 15 feet to 5 feet.
ZO §4-805(E)(2), Yards (Side), within the Town Center Fringe	Reduce the minimum side yard within the Town Center Fringe for a non-residential use abutting a lot used or planned for residential purposes from 15 feet to 5 feet.
ZO §4-805(E)(3), Yards (Rear), within the Town Center Fringe	Reduce the minimum rear yard within the Town Center Fringe for a non-residential use abutting a lot used or planned for residential purposes from 30 feet to 15 feet.
ZO §4-805(F)(1), Other Yard Requirements, Adjacent to Roads	Reduce the minimum building setback along certain major collector roads from 75 feet to 50 feet, and reduce the minimum parking setback along certain arterial roads from 75 feet to 50 feet.
ZO §4-805(F)(2), Other Yard Requirements, Adjacent to Agricultural Uses	Permit parking, outdoor storage, loading areas, and areas for collection of refuse in locations visible from agricultural districts and Loudoun County Parkway.
ZO §4-806(A), Lot Coverage	Increase the maximum lot coverage in the Town Center Fringe from .70 (70%) to .90 (90%).
ZO §4-806(B), Building Height	Increase the maximum building height in the Town Center Core from 60 feet to 175 feet, and in the Town Center Fringe from 40 feet to 175 feet, without any additional building setbacks.
ZO §4-807(B), Land Assembly Requirements	Increase the maximum distance from one boundary of the Town Center Core to the farthest boundary from 1,200 feet to 2,000 feet.
ZO §4-807(C), Land Assembly Requirements	Increase the maximum distance from one boundary of the entire Town Center to the farthest boundary from 2,500 feet to 4,600 feet.
ZO §4-808(B), Land Use Arrangement	Increase the maximum perimeter of a full block in the PD-TC zoning district from 1,600 feet to 3,400 feet.
ZO §4-808(F), Land Use Arrangement	Reduce the minimum percentage of land area allowed for residential use in the PD-TC zoning district from 25% to 20%.
ZO §4-805(D)(3), Yards (Rear), within the Town Center Core	Reduce minimum rear yards in the Town Center Core for non-residential uses abutting a lot used planned for residential purposes from 30 feet to 15 feet.
ZO §4-805(F)(3), Adjacent to Other Nonresidential Districts	Reduce the minimum yard for buildings, parking, outdoor storage, and loading areas from other nonresidential zoning districts from 35 feet to 10 feet.

ZO §4-808(E), Land Use Arrangements	Reduce the minimum percentage of all block frontages within the Town Center Core required to be occupied by pedestrian oriented businesses on the ground floor from 70% to 50%.
ZO §4-808(H) Land Use Arrangements	Reduce the minimum percentage of land area required for civic uses within the PD-TC zoning district from 10% to 2%, and permit this percentage to be measured based on built square footage instead of land area.
ZO §4-808(L), Land Use Arrangements	Reduce the minimum parking setback from any street right-of-way line and district allowing residential uses within the Town Center Fringe from 25 feet to 10 feet.
ZO §4-808(D), Town Center Green	Allow a 26,000 square foot public plaza in the Town Center Core and a 15,000 square foot green in the Town Center Fringe to be provided in lieu of the required 40,000 square foot town green in the Town Center Core, and permit the 15,000 square foot green to be located in an area that is not adjacent to the Town Center Core.
ZO §5-1002, Scenic Creek Valley Buffer Established	Permit a maximum 50-foot scenic Creek Valley Buffer when BMPs are provided.

(More detailed descriptions of each specific modification are available upon request.)

The subject property is located generally within the southwest quadrant of the Harry Byrd Highway (Route 7) and Loudoun County Parkway (Route 607) interchange, and along the north and south sides of Russell Branch Parkway, in the Broad Run Election District. The property is more particularly described as follows:

TAX MAP NUMBER	PIN #	ADDRESS
/63//111111/4/	057-10-2844	N/A
/63//9//1111/5/	057-10-1401	N/A
/63//9//1111/6/	057-19-9739	N/A
/63//9//1111/2/	057-10-0483	N/A
/63//9//1111/1/	057-19-6686	20575 Easthampton Plaza, Ashburn, Virginia
/63//10//1111/7/	057-18-9133	N/A
/63//13//1111/1/	057-18-4894	N/A
/63//9//1111/7/	057-10-4887	44715 Brimfield Drive, Ashburn, Virginia
/63//9//1111/4/	057-10-1684	N/A
/63//9//1111/3/	057-10-0299	N/A
/63//9//1111/9/	058-49-6962	20365, 20405 Exchange Street, Ashburn, Virginia
/63//9//1111/8/	058-49-5342	N/A
/63//10//1111/8/	057-28-9607	N/A
/63//11//1111/1/	057-18-0288	N/A

The area is governed by the policies of the Revised General Plan (Suburban Policy Area (Ashburn Community)) and the 2010 Countywide Transportation Plan, which designate this area for Keynote Employment and Business uses and which recommend a FAR up to 1.0.

ZCPA 2012-0005 & ZMOD 2012-0013
CASCADES-SECTION 12 MIDDLEFIELD DRIVE
(Zoning Concept Plan Amendment & Zoning Ordinance Modification)

M/I Homes of DC, LLC of Sterling, Virginia, has submitted an application to amend the concept plan and proffers approved with ZMAP 1986-0013, Potomac Lakes-Amended, ZCPA 1992-0011, Town Center at Westlake, and ZCPA 1996-0004, Town Center at Westlake-S 19, in order to revise the zoning of the subject property from PD-H4 (Planned Development-Housing) zoning district to the PD-H4 (Planned Development-Housing), administered as R-8 Affordable Dwelling Unit (Single Family Residential with Affordable Dwelling Units), zoning district, in order to permit an additional thirty-nine (39) single-family attached dwelling units (inclusive of 5 ADUs) in lieu of the approved church use, with a resulting increase in overall density from 2.95 dwelling units per acre to 2.97 dwelling units per acre. This application is subject to the Revised 1993 Zoning Ordinance. The Applicant is also requesting modifications of Zoning Ordinance Sections 3-509(C), Additional Development Standards, Minimum Buffer, and 4-110(I)(2), Uses adjacent to single-family residential, or agricultural and residential districts or land bays allowing residential uses, in order to reduce the width of the required common open space buffer with a Type 2 Buffer Yard along the western perimeter of the development from 50 feet to 15 feet. The subject property is approximately 5.0 acres in size and is located within the southwest quadrant of the intersection of Middlefield Drive (Route 1799) and Cascades Parkway (Route 1794), in the Algonkian Election District. The property is more particularly described as Tax Map Number /81/T12/////A/ (PIN# 011-35-5487). The area is governed by the policies of the Revised General Plan (Suburban Policy Area (Potomac Community)) which designates this area for Residential uses and which recommends a density up to 4.0 dwelling units per acre.

ZCPA 2012-0002
DULLES WORLD CENTER
(Zoning Concept Plan Amendment)

Dulles World Center, LLC of Reston, Virginia, has submitted an application to amend the concept plan and proffers approved with ZMAP 2008-0018, Dulles World Center, in order to: 1) Revise Phasing to accelerate the timing for the initial construction of multi-family dwelling units and commercial uses and to establish new minimum non-residential square footage requirements that shall be met prior to the next phase(s) of construction of multi-family dwelling units; 2) Eliminate the operation of Metrorail service as a condition for the construction of certain residential and non-residential development; 3) Accelerate the timing for the payment of cash contributions for off-site parks and/or recreational facilities/amenities and cash contributions for the acquisition of open space easements; 4) Accelerate the timing for the construction of on-site civic uses; 5) Revise the timing for the dedication of public rights-of-way and construction of public roadways; 6) Revise the timing for the provision of shuttle bus service to the Metrorail Station and construction of on-site bus shelters; and 7) Revise the timing for the construction of multi-use trail facilities to the Metrorail Station, with no resulting change in residential or non-residential density in the PD-TC (Planned Development-Town Center) zoning district. The subject property is located within the AI (Airport Impact) Overlay District, outside of but within one (1) mile of the Ldn 60 aircraft noise contour, the QN (Quarry Notification) Overlay District-Loudoun Note Area, and the Route 28 Taxing District, and is also located partially within the FOD (Floodplain Overlay District). This application is subject to the Revised 1993 Zoning Ordinance. The Applicant is also requesting modifications of the following sections of the Zoning Ordinance: 1) Section 4-808(B), Land Use Arrangement and Use Limitations, to increase the maximum perimeter of a full block in the PD-TC zoning district from 1,600 feet to 2,150 feet; and 2) Section 4-808(E), Land Use Arrangement and Use Limitations, to reduce the minimum percentage of all block frontages within the Town Center Core required to be occupied by pedestrian oriented businesses on the ground floor from 70% to 60%. The subject property is approximately 81.68 acres in size, comprises 5 parcels and a section of Innovation Avenue (Route 209) (to be abandoned separately), and is located on the north side of the Dulles Greenway (Route 267), on the east side of Sully Road (Route 28), on the west side of the boundary with Fairfax County, and along both sides of Innovation Avenue (Route 209), in

the Broad Run Election District. The property is more particularly described as Tax Map Number /94//14///A2B/ (PIN# 035-26-2113), Tax Map Number /94//14///A2C/ (PIN# 035-25-7745), Tax Map Number /94//14///A2D/ (PIN# 035-26-4587), Tax Map Number /94//14///A2E/ (PIN# 035-25-8897), and Tax Map Number /94//14///B/ (PIN# 035-17-3774). The area is governed by the policies of the Revised General Plan (Suburban Policy Area (Sterling Community) and Route 28 Corridor Plan), which designate this area for Route 28 Core/Mixed-Use Office Center and which recommend a maximum residential and non-residential FAR of 1.5 to 2.0.

ZOAM 2012-0002

**NOTICE OF PROPOSED TEXT AMENDMENTS TO ARTICLES 4, 6, AND 8 OF THE REVISED 1993 ZONING ORDINANCE TO AMEND THE DEVELOPMENT PROCESS AND ADMINISTRATION REQUIREMENTS FOR LEGISLATIVE LAND DEVELOPMENT APPLICATIONS, REFERENCES TO THE DEVELOPMENT PROCESS AND ADMINISTRATION REQUIREMENTS, AND ARTICLE 8 DEFINITIONS TO REFLECT THE REVISIONS TO THE DEVELOPMENT PROCESS AND ADMINISTRATION REGULATIONS.
(Zoning Ordinance Amendment)**

Pursuant to Sections 15.2-2204, 15.2-2285, and 15.2-2286 of the Code of Virginia and a Resolution of Intent to Amend adopted by the Board of Supervisors on July 17, 2012, the Planning Commission hereby gives notice of proposed text amendments to the Revised 1993 Loudoun County Zoning Ordinance ("Zoning Ordinance"), in order to revise the land development application process for certain "legislative" types of land development applications, to include, without limitation, Zoning Map Amendments, Zoning Concept Plan Amendments, Zoning Modifications, Sign Development Plans, Special Exceptions, and Minor Special Exceptions. In conjunction with the above-mentioned text amendments to the Zoning Ordinance, and pursuant to Sections 15.2-107 and 15.2-2241 of the Code of Virginia, Section 6-402 of the Zoning Ordinance, and Section 1242.12 of the Loudoun County Land Subdivision and Development Ordinance, the Board of Supervisors declares its intent to amend the Land Development Application Fee Schedule, and shall also consider revisions to the Checklist of Minimum Requirements for all "legislative" applications, as necessary to implement the above-mentioned text amendments to the Zoning Ordinance. The above-mentioned text amendments to the Zoning Ordinance would generally revise certain time periods for Staff review and applicant submissions; establish a new process for the dismissal of land development applications not actively pursued by applicants; revise and reduce the notice required for public hearings; revise the requirements for Pre-Application Conferences; revise the procedure for amending approved Proffers and Special Exceptions and the procedure for Zoning Modifications; revise, reduce, and consolidate the matters and factors to be given consideration by the Planning Commission and Board of Supervisors for certain types of land development applications, to include, without limitation, Zoning Map Amendments and Special Exceptions; delete the requirements for AR-2 District Rezoning; revise and/or delete certain time periods for Planning Commission and Board of Supervisors public hearing and action; and revise and/or delete existing, and establish new, Article 8 definitions as necessary to implement the above-described revisions to the "legislative" land development application process. The language for this Zoning Ordinance amendment will be generated from a *Matrix of Issues*, dated May 8, 2012, draft amendment language developed by a Stakeholders Group, and draft amendment language developed by Staff, and will propose revisions to Section 6-400 et seq., *Administration*, Section 6-600 et seq., *Notice Required for Public Hearings*, Section 6-1200 et seq., *Zoning Amendment*, Section 6-1300 et seq., *Special Exception*, Section 6-1500 et seq., *Rezoning to Planned Development (PD) Districts*, Article 8, *Definitions*, and such other Articles, Sections, Subsections, and provisions of the Zoning Ordinance as necessary to implement and maintain consistency with the foregoing amendments, or as otherwise necessary to correct typos within, update internal cross references to, and further clarify the requirements of, the above-mentioned sections of the Zoning Ordinance.

Description of Proposed Amendments to All Sections:

- Revise certain references to the "Zoning Administrator" to the "Director of Planning".

Description of Proposed Amendments to Section 6-400 et seq., Administration:

- Amend Section 6-403, *Submission Requirements*, to revise and/or delete the requirements for Rezoning Plat.
- Amend Section 6-403, *Submission Requirements*, and Section 6-405, *Inactive Applications*, to establish a new procedure for the dismissal of certain land development applications at the applicant's request or that an applicant has failed to actively pursue.

Description of Proposed Amendments to Section 6-600 et seq., Notice Required For Public Hearings:

- Amend Section 6-601, *Required Notice*, to: 1) Eliminate the requirement for second written notice for public hearings; 2) Revise the time period prior to a public hearing by which notice shall be mailed; 3) Establish new exceptions to notice requirements that are currently permitted under the Code of Virginia; and 4) Clarify notice requirements where the subject property is located within one-half mile of an adjoining county or municipality.

Description of Proposed Amendments to Section 6-1200 et seq., Zoning Amendment:

- Amend Section 6-1203, *Review of Application*, to: 1) Revise the requirements for the Pre-Application Conference; 2) Permit the Pre-Application Conference to be waived under certain circumstances; 3) Revise requirements for the initial review and acceptance of applications classified as Zoning Amendments, to include, without limitation, reducing the time period for Staff review; and 4) Revise requirements for the resubmission of incomplete applications classified as Zoning Amendments.
- Amend Section 6-1204, *Staff Review of Application*, to: 1) Revise and reduce time periods for Staff review, issuance of referral reports, and applicant response; and 2) Clarify the review procedure for applicant responses that result in an additional application.
- Amend Section 6-1205, *Amendment to Application*, to clarify what constitutes, and the review procedure for, an amended application.
- Amend Section 6-1206, *Withdrawal of Application*, to permit an application classified as a Zoning Amendment to be withdrawn at any time prior to the beginning of the public hearing.
- Amend Section 6-1207, *Limitation on Application After Denial*, to clarify requirements for resubmission of an application classified as a Zoning Amendment after denial.
- Amend Section 6-1209, *Proffered Conditions*, to: 1) Allow proffers to be submitted earlier in the Staff review process; 2) Clarify the types of changes to proffers that may be agreed to by an applicant at the public hearing; 3) Clarify and/or revise the requirements for the guarantee for construction of public improvements required by proffered conditions; 4) Clarify the procedure for the amendment of previously approved proffers; and 5) Allow the Board of Supervisors to waive the public hearing for certain proffer amendments that do not affect conditions of use or density and establish an alternate review process for such proffer amendments.
- Amend Sections 6-1210, *Planning Commission Hearing*, and 6-1211, *Report by Planning Commission*, to: 1) Consolidate the requirements of these Sections; 2) Revise the time period for the Planning Commission to conduct a public hearing on an application classified as a Zoning Amendment; and 3) Revise, reduce, and consolidate the matters that the Planning Commission and Board of Supervisors shall give reasonable consideration to in the review of an application classified as a Zoning Amendment.
- Amend Section 6-1212 (may be renumbered), *Hearing Before the Board of Supervisors*, to revise the time period for the Board of Supervisors to conduct a public hearing on an application classified as a Zoning Amendment.
- Amend Section 6-1213 (may be renumbered), *Action by Board of Supervisors*, to clarify the requirements for Board of Supervisors action on an application classified as a Zoning Amendment.
- Delete existing Section 6-1215, *AR-2 District Rezoning*.
- Establish new Section(s) in regard to the requirements for Concept Development Plans, to: 1) Incorporate certain existing requirements for Concept Development Plans that are being relocated from Sections 6-1505, *Concept Development Plan/Submission Requirements*, *Purpose and Effect*, and 6-1508, *Contents of an Approved Concept Development Plan*; 2) Establish a new requirement that any application for rezoning

shall include a Concept Development Plan (previously limited to applications for rezoning to Planned Development (PD) districts); 3) Add certain features classified as "Open Space Areas" to the information that a Concept Develop Plan shall contain; and 4) Incorporate certain existing requirements that are being relocated from Section 6-1511, *Approved Changes to Concept Development Plan After Approval*, and establish new requirements for Minor, Special Exception, and Major changes to an approved Concept Development Plan.

- Establish new Section(s) in regard to the modification of zoning district regulations, to: 1) Incorporate certain existing requirements in regard to the modification of zoning, subdivision or other requirements that would otherwise apply to Planned Development (PD) zoning districts that are being relocated from Section 6-1504, *Modifications*; and 2) Permit, and establish new requirements and procedures for, certain modifications to the regulations for Non-Planned Development zoning districts.

Description of Proposed Amendments to Section 6-1300 et seq., Special Exception:

- Amend Section 6-1304, *Review of Application*, to: 1) Revise the requirements for the Pre-Application Conference; 2) Permit the Pre-Application Conference to be waived under certain circumstances; 3) Revise requirements for the initial review and acceptance of Special Exception (SPEX) and Minor Special Exception (SPMI) applications, to include, without limitation, reducing the time period for Staff review; and 4) Revise requirements for the resubmission of incomplete SPEX and SPMI applications.
- Amend Section 6-1305, *Staff Review of Application*, to: 1) Revise and reduce time periods for Staff review, issuance of referral reports, and applicant response; and 2) Clarify the review procedure for applicant responses that result in an additional application.
- Revise Section 6-1306, *Amendment to Application*, to clarify what constitutes, and the review procedure for, an amended SPEX or SPMI application. Alternatively, existing Section 6-1306 may be deleted.
- Amend Section 6-1308 (may be renumbered), *Limitation on Application After Denial*, to clarify requirements for resubmission of a SPEX or SPMI application after denial.
- Amend Section 6-1309 (may be renumbered), *Hearings*, to revise the time periods for the Planning Commission and Board of Supervisors to conduct a public hearing on a SPEX or SPMI application.
- Amend Section 6-1310 (may be renumbered), *Issues for Consideration*, to revise, reduce, and consolidate the factors that the Planning Commission and Board of Supervisors shall give reasonable consideration to in the review of a SPEX or SPMI application.
- Amend Section 6-1311 (may be renumbered), *Conditions and Restrictions*, to: 1) Add new references to "minor special exceptions"; and 2) Delete existing reference(s) to a "permit" for a SPEX or SPMI.
- Amend Section 6-1312 (may be renumbered), *Effect of Issuance of a Permit for a Special Exception*, to: 1) Retitle this Section to delete the reference to a "permit" for a SPEX or SPMI; 2) Add references to "minor special exceptions"; and 3) Delete other existing reference(s) to a "permit" for a SPEX or SPMI.
- Amend Section 6-1313 (may be renumbered), *Period of Validity*, to: 1) Clarify the period of validity for an approved SPEX or SPMI; 2) Clarify the procedure for the extension of the period of validity of a SPEX or SPMI, including, without limitation, whether notice and public hearing is required for such extension; and 3) Clarify that after the expiration of a SPEX or SPMI, no extension may be granted without complying with the requirements for an initial application for a SPEX or SPMI.
- Delete existing Section 6-1314, *Rehearing*.
- Amend Section 6-1315 (may be renumbered), *Status of Special Exception Uses*, to: 1) Clarify the effect of SPEX or SPMI approval on the development of the property; 2) Clarify that certain modifications to an approved SPEX or SPMI that are necessary to provide accessibility improvement as required by the Americans with Disabilities Act or Commonwealth of Virginia may be permitted by the Zoning Administrator without requiring the approval of a new SPEX or SPMI; and 3) Relocate language in regard to such Zoning Administrator approved modifications to Section 6-1316 (may be renumbered), *Modifications to Approved Special Exceptions*.
- Amend Section 6-1316 (may be renumbered), *Modifications to Approved Special Exceptions*, to: 1) Clarify the types of minor modifications to an approved SPEX or SPMI that may be permitted by the Zoning Administrator; 2) Clarify the notice requirements for such minor modifications; 3) Incorporate certain

existing requirements in regard to modifications to an approved SPEX or SPMI that are necessary to provide accessibility improvement as required by the Americans with Disabilities Act or Commonwealth of Virginia that may be permitted by the Zoning Administrator.

Description of Proposed Amendments to 6-1500 et seq., Rezoning to Planned Development (PD)

Districts:

- Delete existing Section 6-1500 et seq., *Rezoning to Planned Development (PD) Districts*, and relocate certain existing requirements in regard to Concept Development Plans from Sections 6-1505, *Concept Development Plan/Submission Requirements, Purpose and Effect*, and 6-1508, *Contents of an Approved Concept Development Plan*, and certain existing requirements in regard to the modification of requirements that apply to Planned Development (PD) zoning districts from Section 6-1504, *Modifications*, to Section 6-1200 et seq., *Zoning Amendment*.

Description of Proposed Amendments to Article 8, DEFINITIONS:

- Amend Article 8, *Definitions*, to: 1) Delete the existing definitions for “Application, Inactive” and “Application, Reactivated”; and 2) Establish a new definition for “Application, Active”.

The public purposes of these amendments are to achieve the purposes of zoning as set forth in Sections 15.2-2200 and 15.2-2283 of the Code of Virginia, including, without limitation, furtherance of the public necessity, convenience, general welfare and good zoning practice and facilitating the creation of a convenient, attractive and harmonious community.

Except as noted in the individual notices above, full and complete copies of the above-referenced amendments, applications, ordinances and/or plans, and related documents may be examined in hard copy at the Loudoun County Department of Building and Development, County Government Center, 1 Harrison Street, S.E., 2nd Floor, Leesburg, Virginia, from 9:00 AM to 4:30 PM, Monday through Friday or call 703-777-0220, or electronically at www.loudoun.gov/lola. This link also provides an additional opportunity for public input on active applications. Additionally, documents may be viewed and downloaded electronically the week before the hearing at www.loudoun.gov/pc. The Planning Commission will conduct a briefing session on the above-referenced application(s); please see the Planning Commission calendar for the exact date and time. For further information, contact the Department of Planning at 703-777-0246.

Citizens are encouraged to call in advance to sign up to speak at the public hearing. If you wish to sign up in advance of the hearing, please call the Department of Planning at 703-777-0246 prior to 12:00 PM on the day of the public hearing. Speakers may also sign up at the hearing. Written comments are welcomed at any time and may be sent to the Loudoun County Planning Commission, 1 Harrison Street, S.E., 3rd Floor, MSC #62, Leesburg, Virginia 20175, or by e-mail to loudounpc@loudoun.gov. If written comments are presented at the hearing, please provide ten (10) copies for distribution to the Commission and the Clerk's records. All members of the public will be heard as to their views pertinent to these matters. Any individual representing and/or proposing to be the sole speaker on behalf of a citizen's organization or civic association is encouraged to contact the Department of Planning prior to the date of the public hearing if special arrangements for additional speaking time and/or audio-visual equipment will be requested. Such an organization representative will be allotted 6 minutes to speak, and the Chairman may grant additional time if the request is made prior to the date of the hearing and the need for additional time is reasonably justified.

Citizens are encouraged to call the Department of Planning on the day of the public hearing to confirm that an item is on the agenda, or, the most current agenda may be viewed on the Planning Commission's website at www.loudoun.gov/pc. If the public hearing is cancelled due to inclement weather, the public hearing will be moved to Thursday of the same week at the same place and time unless otherwise announced. If that Thursday is a holiday or the Thursday public hearing is cancelled due to inclement weather, the public hearing will be moved to Tuesday of the next week at the same place and time unless otherwise announced.

Hearing assistance is available for meetings in the Board of Supervisors' Meeting Room. FM Assistive Listening System is available at the meetings at all other locations. If you require any type of reasonable accommodation as a result of a physical, sensory or mental disability to participate in this meeting, contact the Department of Planning at 703-777-0246. Please provide three days' notice.